

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

JASON EDWARD FENNER

PETITIONER

v.

Civil No. 06-5029

LARRY NORRIS, Director,  
Arkansas Department of Correction

RESPONDENT

**ORDER**

Petitioner has submitted for filing in this district a pro se petition under 28 U.S.C. § 2254 for writ of habeas corpus. We find the petition should be provisionally filed prior to a determination regarding plaintiff's status as a pauper. The United States District Clerk is hereby directed to file the motion *nunc pro tunc* as of February 9, 2006.

This court has provided petitioner with an application for proceeding as a pauper in this matter. Accordingly, petitioner is given up to and including March 13, 2006, in which to furnish the court with an application or pay the filing fee. Should petitioner fail to comply within the required period of time, his petition will become subject to summary dismissal for failure to obey a court order.

IT IS SO ORDERED this 13th day of February 2006.

*Beverly Stites Jones*

HON. BEVERLY STITES JONES  
UNITED STATES MAGISTRATE JUDGE

U.S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

FEB 13 2006

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK